



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/677,467

10/02/2003

Philippe Bazot

FR920020066US1

8489

45095 7590 06/11/2010

HOFFMAN WARNICK LLC
75 STATE ST
14 FL
ALBANY, NY 12207

EXAMINER

CHRISTENSEN, SCOTT B

ART UNIT

PAPER NUMBER

2444

NOTIFICATION DATE

DELIVERY MODE

06/11/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hoffmanwarnick.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/677,467
Filing Date: October 02, 2003
Appellant(s): BAZOT ET AL.

David E. Rook
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 4/27/2010 appealing from the Office action mailed 3/18/2010.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 1 and 4.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the

Art Unit: 2444

subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

6,970,918

BROWN

11-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al. (US Patent NO. 6970918B2 here after "Brown et al.").

Regarding Claim 1 Brown et al. discloses a method of accessing Internet resources provided by at least a content server (col. 3, line 51 & Fig 2a, 16) in a data transmission system including a proxy (col. 3, line 55 & Fig 2a, 11) connected to an Internet network (col. 3, line 50 & Fig 2a, 14), said proxy being provided with

Art Unit: 2444

authentication means (col. 4, line 23 & Fig 3, 20) for authenticating a user when receiving a request for Internet resources (col. 4, line 18) therefrom, and wherein said proxy transmits the user request to said content server (col. 4, lines 3-8 & 29-30) which sends back a response to the proxy together with at least one cookie containing information about said user (col. 4, lines 30-32);

said proxy receiving said response over the internet network (col. 3, Lines 49-51 & Fig 2a , 14) and detecting at least one cookie in the response (col. 3, lines 5-16. The proxy detects information in the cookie, and thus must detect at least one cookie in the response.) and storing the at least one cookie and an Internet address of the content server associated with the at least one cookie in a user context database (col. 6, lines 27-42 and col. 4, lines 62-65. It is noted that according to Figure 4, 46, the address and cookie are stored in the database, meaning that the address associated with the content server was stored as well as the cookie.) and transmitting said response to said user (col. 6, line 37) over the Internet network (col. 4, lines 11-15) after said cookie has been removed from said response (col. 6, lines 29-31), so that said user can send all subsequent requests for accessing said Internet resources contained in said content server to said proxy (col. 7, lines 36-41) over the Internet network (col. 4, lines 11-15), wherein said cookie which has been stored in said user context database is added to all subsequent requests from said user for accessing Internet resources in said content server (col. 5, lines 17-27), wherein said proxy is configured to establish a connection to said content server on behalf of said user when receiving said request from said user, and wherein said cookie is transmitted by said configured proxy to said content server

Art Unit: 2444

when said user sends subsequent requests for the URL of the said content server, even if said content server does not belong in the said proxy server's domain (Figure 2a).

Regarding Claim 4 Brown et al. disclose, Method according to claim 1, wherein the response from said content server to said proxy includes a statement "set-cookies," said statement being removed from said response (col. 6, lines 29-31) before transmitting said response to said user (col. 6, line 37).

(10) Response to Argument

Issue 1: On pages 4-5 of the Appeal Brief, Appellant argues that Brown does not disclose "said proxy receiving said response over the Internet network and detecting at least one cookie in the response and storing the at least one cookie and an Internet address of the content server in a user context database."

In Appellant's arguments, Appellant only makes specific reference to the language, "storing the at least one cookie and an Internet address of the content server in a user context database" in arguing that Brown does not disclose the above cited language. It is noted that the first portion, where a proxy receives the response over the Internet network and detects at least one cookie in the response, as detailed below, a cookie is taken from an HTTP header and stored, meaning that the response was received, and a cookie was detected. Accordingly, as no arguments, specific or general, have been directed towards "said proxy receiving said response over the

Art Unit: 2444

Internet network and detecting at least one cookie in the response,” this language should be considered to be disclosed by Brown, as detailed by the rejection above.

However, Brown discloses that the “set-cookie directives from the HTTP header are removed and stored in a cookie database that is accessible to a proxy machine” and that the “cookie database identifies the cookie stored by the user and the content web page being accessed by that user” (Brown: Column 6, lines 31-33). Thus, from this passage alone, it is clear that Brown stores in a database a cookie and a identification of the content web page.

Further, Brown discloses the use of URLs to access web pages. The URL is used for accessing the content from the proxy (Brown: Column 5, lines 5-10), where the URL of the web page is included in the URL request for the page made to the proxy server. The URL example provided in Brown, “www.us.buy.com/accountaccess” includes two portions, where the first portion, www.us.buy.com is a URL for the content server which hosts the page “accountaccess.”

Further, the term “user context database” does not appear to have an explicit definition in the instant specification. Further, the functionality that makes the database a “user context” database does not appear to be represented in the instant claim. The word context may be interpreted as meaning a set of circumstances or facts that surround a particular event, situation, etc. Thus, a “user context database” appears to be a database containing a set of circumstances or facts that surround a particular event, situation, etc. that pertains to one or more users. Meanwhile, a cookie is state information for interactions between a client and a server (Specification: Page 2,

Art Unit: 2444

Paragraph 3 to Page 3, Paragraph 1). Thus, as the database of Brown stores the cookie and the URL, it is clearly storing the context of the user interactions with a server, and is thus a “user context database.”

Issue 2: Further, on page 5, Appellant argues that Brown does not disclose “wherein said proxy is configured to establish a connection to said content server on behalf of said user when receiving said request from said user, and wherein said cookie is transmitted by said configured proxy to said content server when said user sends subsequent requests for the URL of the said content server, even if said content server does not belong in the proxy server’s domain.”

Meanwhile, Brown teaches a proxy server that acts as an intermediary between a content server and a user (Brown: Abstract). Brown further discloses that the proxy machine is presented on the Client Device’s side of the ISP, while the Content Server are on the opposite sides (Brown: Figure 2b), meaning that the Proxy Machine and the Content Servers are in different domains, as they do not exist on the same local networks. Further, Figure 4 of Brown shows that the proxy machine makes the connection to the Content Server on behalf of the user (Brown: Figure 4, steps 34, 42, 50, and 56). As can be seen in step 50, the proxy machine places the cookie into the HTTP request header, and executes the URL request (Brown: Figure 4, steps 50 and 56 or 54).

Thus, it is apparent that Brown discloses that the “proxy is configured to establish a connection to said content server on behalf of said user when receiving said request

Art Unit: 2444

from said user” as the content server receives the request and executes the URL request (Brown: Figure 4, steps 38, 56, and 54). Brown further discloses that the “cookie is transmitted by said configured proxy to said content server when said user sends subsequent requests for the URL of the content server” as the cookie is placed into the HTTP request header (Brown: Figure 4, step 50). Finally, Brown discloses “even if said content server does not belong in the proxy server’s domain” for two reasons. First, the proxy machine and the content server are on different sides of the ISP, where the proxy server would likely be on the same or a domain logically close to the client, and the content server would be on a completely different network, and thus be on a more remote domain from the client (Brown: Figure 2b). Second, Brown does not include any functionality for checking whether the proxy machine and the content server are on the same domain or the same network. Thus, the request is made without regard to the location of the content server, meaning that whether the content server is on a same domain or a different domain, the request would still be made.

Thus, lacking any specific arguments by Appellant of how the language argued by Appellant on pages 3-5 of the Appeal Brief is not disclosed by Brown, and the above arguments of how the same language is, in fact, disclosed by Brown in as much detail as is required by the instant claims, the rejection of claims 1 and 4 should be maintained.

Art Unit: 2444

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/S. C./

Examiner, Art Unit 2444

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2444

Conferees:

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2444

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2451